

FILED



5:09 pm, 5/11/21

Margaret Botkins
Clerk of Court

United States District Court
For The District of Wyoming

Nancy D. Freudenthal, United States District Judge

Abby Logan, Courtroom Deputy
Jan Davis, Court Reporter

May 11, 2021
Cheyenne, WY

UNITED STATES OF AMERICA,
Plaintiff,
vs.

Plaintiff's Attorneys:
Christyne Martens/Nicole Romine
Case No: 20-CR-45-F

CODY DONOVAN SMITH
Defendant.

Defendant's Attorney:
Alex Freeburg/Jeremy Hugus

COURTROOM MINUTES
JURY TRIAL DAY 2

8:23 a.m. - 8:34 a.m. Matters discussed with counsel outside the presence of the jury.

8:52 a.m. Court resumes. Jury brought in.

8:54 a.m. Agent Olson is on the stand and reminded by the Judge that he remains under oath.
Direct examination by Christyne Martens continues.

8:58 a.m. Side bar requested by defense counsel.

9:02 a.m. Court resumes. Direct examination continues. Government Exhibit 900, 100A, 204
admitted by the Court.

9:28 a.m. Side bar requested by the Judge.

9:30 a.m. Court resumes. Direct examination continues. Government Exhibit 600, 602, 601
admitted by the Court.

9:43 a.m. Side bar requested by defense counsel.

9:44 a.m. Court resumes. Direct examination continues. Government Exhibit 401, 901 admitted by the Court.

9:51 a.m. No cross examination of Agent Olson for the Defense. Agent Olson excused from the witness stand. **Government calls Detective David Stubbs.**

9:53 a.m. Detective Stubbs sworn in by the Courtroom Deputy. Direct examination by Christyne Martens for the Government. Government Exhibit 200, 205, 206 admitted by the Court.

10:12 a.m. Cross examination of Detective Stubbs by Alex Freeburg for the Defense.

10:15 a.m. Judge informs the jury that she wishes to take morning break at this time. Brief admonition issued to the jury.

10:16 a.m. Jury excused. Matters discussed outside the presence of the jury.

10:23 a.m. Court recessed for morning break.

10:31 a.m. Court resumes. Jury brought in.

10:33 a.m. Detective Stubbs is on the stand. He is reminded by the Judge that he remains under oath. Cross examination continues.

10:44 a.m. Side bar requested by the Judge.

10:46 a.m. Court resumes. Cross examination continues.

10:58 a.m. Re-direct examination of Detective Stubbs by Christyne Martens for the Government.

11:07 a.m. Detective Stubbs excused from the witness stand. **Government calls Brian Kimball.**

11:09 a.m. Sworn in by the Courtroom Deputy. Direct examination of Brian Kimball by Nicole Romine for the Government.

11:15 a.m. No cross examination of Brian Kimball for the Defense. Brian Kimball is excused from the witness stand.

11:16 a.m. **Government calls Jennifer McGrath.**

11:17 a.m. Sworn in by the Courtroom Deputy. Direct examination of Jennifer McGrath by Nicole Romine for the Government.

11:21 a.m. No cross examination of Jennifer McGrath for the Defense. Jennifer McGrath excused

from the witness stand. **Government calls Dr. Frederick Lindberg.**

11:23 a.m. Dr. Lindberg sworn in by the Courtroom Deputy. Direct examination of Dr. Lindberg by Christyne Martens for the Government.

11:40 a.m. Side bar held with counsel.

11:43 a.m. Court resumes. Direct examination continues.

11:50 a.m. Side bar requested by the Judge.

11:51 a.m. Court resumes. Direct examination continues.

11:55 a.m. Cross examination of Dr. Lindberg by Alex Freeburg for the Defense.

12:01 p.m. No re-direct examination by the Government. Dr. Lindberg excused from the witness stand.

12:02 p.m. The Judge informs everyone that she wishes to take lunch break at this time. Brief admonition issued to the jury.

12:03 p.m. Jury excused. Matters discussed outside the presence of the jury.

12:06 p.m. Court recessed for lunch break.

1:21 p.m. Court resumes. Jury brought in.

1:23 p.m. **Government calls Hannah Bye.**

1:24 p.m. Sworn in by the Courtroom Deputy. Direct examination of Hannah Bye by Christyne Martens for the Government.

1:36 p.m. Side bar requested by the Judge.

1:38 p.m. Court resumes. Direct examination continues. Government Exhibit 203, 214, 207, 208, 209, 210, 211, 212, 213, 603, 604, 605, 606, 607, 608, 609, 610 admitted by the Court.

2:34 p.m. Cross examination of Hannah Bye by Alex Freeburg for the Defense. Defense Exhibit GG admitted by the Court.

2:52 p.m. The Judge informs everyone that she wishes to take afternoon break at this time. Brief admonition issued to the jury.

2:55 p.m. Jury excused. Court recessed for afternoon break.

3:15 p.m. Court resumes. Jury brought in.

3:18 p.m. Hannah Bye is on the stand. She is reminded by the Judge that she remains under oath. Cross examination continues.

4:05 p.m. Side bar requested by Alex Freeburg.

4:11 p.m. Court resumes. Cross examination continues.

4:17 p.m. Re-direct examination of Hannah Bye by Christyne Martens for the Government.

4:31 p.m. Hannah Bye excused from the witness stand. **Government calls Sarah Ramao.**

4:33 p.m. Sworn in by the Courtroom Deputy. Direct examination of Sarah Ramao by Christyne Martens for the Government.

4:48 p.m. Cross examination of Sarah Ramao by Jeremy Hugus for the Defense. Defense Exhibit RR admitted by the Court.

4:57 p.m. No re-direct examination from the Government. Sarah Ramao excused from the witness stand. The Judge informs everyone that she wishes to recess for the evening at this time. Brief admonition issued to the jury.

4:58 p.m. Jury excused. Matters discussed with counsel outside the presence of the jury.

5:01 p.m. Court recessed until tomorrow (5/12/21) at 8:30 a.m.